

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ROC-19029 - APPLICANT/OWNER: J & S DIESEL SERVICE, INC.**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL, subject to:**

**Planning and Development**

1. Conformance to all conditions of approval for ZON-4215, except as amended herein.

**Public Works**

2. Condition number 8 of ZON-4215 shall be amended to read as follows: "Construct half-street improvements including appropriate transitional paving on Dorrell Lane and Unicorn Street adjacent to this site concurrent with development of this site. Installation of streetlights on Unicorn Street and Dorrell Lane may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases may be contributed to the City, if allowed by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site."

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Review of Condition Number 8 from an approved Rezoning (ZON-4215) to allow the deferral of street light installation on Unicorn Street and Dorrell Lane where it was previously required for a proposed residential development on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street.

The proposed review of condition will not have a negative effect on the surrounding neighborhood. A revised condition has been added by the Department of Public Works. Approval of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
07/08/04	The City Council approved a Rezoning [ZON-4215] application for the reclassification from R-E (Residence Estates) to R-2 (Medium-Low Density Residential) and a Waiver [WVR-4217] to Title 18.12.160 to allow approximately 186 feet between street intersections where 220 feet is the minimum distance separation required in conjunction with a proposed single-family residential development on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street. Both the Planning Commission and Staff recommended denial. [The request was amended to R-1 (Single Family Residential)].
07/17/06	The City Council approved a Special Use Permit [SUP-13209] to allow a 40-foot wide private street for a proposed eight (8) lot single-family residential development on 2.10 acres on the southeast corner of Dorrell Lane and Unicorn Street. The Planning Commission recommended approval on 06/08/06. Staff recommended denial.
07/27/06	The Planning Commission approved a request for a Tentative Map (TMP-13210) for an eight (8) lot single-family residential subdivision on 2.5 acres located adjacent to the southeast corner of Dorrell Lane and Unicorn Street. Staff recommended approval.
02/21/07	The City Council will consider an Extension of Time of Rezoning (ZON-4215) that is related to this request.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no permits or licenses related to this request.	
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	2.5
Net Acres	2.1

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential)
North	Single Family Residential	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
East	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>	X		Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

## ANALYSIS

The Department of Public Works has no objection to the Request for a Review of Condition application related to Zoning Reclassification ZON-4215, Condition No. 8 to allow deferral of street light installation on Unicorn Street and Dorrell Lane where it was previously required. It is noted that the adjacent properties do not have street lights installed.

For that reason, the Department of Public Works agrees to revise Condition No. 8.

### **If approved, we recommend that Condition No. 8 be modified as follows:**

8. Construct half-street improvements including appropriate transitional paving on Dorrell Lane and Unicorn Street adjacent to this site concurrent with development of this site. Installation of streetlights on Unicorn Street and Dorrell Lane may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases may be

contributed to the City, if allowed by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

The Planning Department supports the Department of Public Works request for approval of this review of condition. The proposed change to Condition #8 of ZON-4215 will not have a negative effect on the surrounding neighborhood and is considered appropriate. It is noted that the confusion related to the offsite improvements has resulted in the necessity of an extension of time request for this rezoning case. This Extension of Time, (EOT-19030), shall be heard by the City Council on 02/21/07.

## **FINDINGS**

The proposed review of condition and subsequent condition change will not have a negative effect on the surrounding neighborhood. It is noted that the surrounding properties do not have street lights installed at this time. Both the Department of Public Works and the Planning Department support this request.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** 238 by Planning Department

**APPROVALS** 0

**PROTESTS** 0